

House Concurrent Resolution No.

Whereas, Missouri state government is experiencing a budget crisis; and

Whereas, state government programs are being evaluated, and wasteful, ineffective, and costly programs are being eliminated; and

Whereas, the vehicle emissions testing program for the St. Louis area, known as the Gateway Clean Air Program, expends considerable resources in testing vehicles shown to have clean emissions, fails few grossly polluting vehicles, and is therefore of questionable effectiveness in reducing air pollution; and

Whereas, the Gateway Clean Air Program is wasteful and costly for the citizens of St. Louis City and St. Louis, St. Charles, Jefferson, and Franklin Counties, the vast majority of whom own vehicles with clean emissions; and

Whereas, many of these citizens have experienced first hand the discourteous and unfriendly mannerisms of employees of Environmental Systems Products, Inc., the company contracted by the Department of Natural Resources to conduct the Gateway Clean Air Program; and

Whereas, Environmental Systems Products, Inc., is not sufficiently accountable to the Department of Natural Resources or to the citizens whose money and time are expended for this questionable program; and

Whereas, many states, including New Jersey, Colorado, Arizona, Minnesota, Texas, and Ohio, have suspended or terminated their vehicle emissions testing programs; and

Whereas, Virginia has rejected the United States Environmental Protection Agency's vehicle emissions testing program and established its own program in response to federal mandates forced upon the states to comply with the 1990 Clean Air Act, as amended; and

Whereas, the Illinois Legislature passed Senate Resolution No. 119 to direct the State Auditor General to conduct an audit of the Illinois EPA-mandated vehicle emissions testing program after more than 800 vehicle owners filed a class action lawsuit against the testing company claiming that the invasive emissions test had damaged their vehicles; and

Whereas, on January 24, 2002, New Jersey Governor James E. McGreevey announced that he has assembled a team of procurement, environmental, and management experts to conduct a full and complete management review of New Jersey's \$500 million contract with the state's auto emissions testing company to determine the "root cause" of the problems in the program and cost overruns that New Jersey has experienced; and

Whereas, Missouri should consider the actions of these states that have audited, suspended, or terminated their vehicle emissions testing programs:

Now, therefore, be it resolved that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby acknowledge the considerable evidence that the Gateway Clean Air Program is costly, ineffective, wasteful, and lacks accountability and therefore request the State Auditor to conduct an audit of the Gateway Clean Air Program similar to the actions taken in Illinois, with such audit to be completed by December 31, 2002, and a report provided to the Ninety-second General Assembly in January 2003; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for State Auditor Claire McCaskill, the Director of the Department of Natural Resources and each member of the Missouri Congressional Delegation.

Offered by Representatives Catherine S. Enz, Carl H. Hendrickson, and John E. Griesheimer

Ted Wedel, Chief Clerk of the House of Representatives, and Terry L. Spieler, Secretary of the Senate, do hereby certify that the aforementioned is a true and correct copy of House Concurrent Resolution No. , adopted by the House of Representatives on , 2002, and concurred in the Senate on , 2002.

Chief Clerk of the House of Representatives

Secretary of the Senate